IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1520 (S/S) of 2005

Anil Thapa,
Aged about 44 years,
son of Sri K.B. Thapa,
Motharawala,
District - Dehradun ..... Petitioner.

Versus.

1. Uttaranchal Pey Jal through its Managing Director, Dehradun, Uttaranchal.
2. The Managing Director, Uttaranchal Sansadhan Vikas and Nirman Nigam, Dehradun, Uttaranchal.
3. U.P. Jal Nigam through its Managing Director, 6, Rana Pratap Marg, Lucknow.

.....Respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri S.S. Chauhan, learned counsel for the petitioner, Sri D.S. Patni, learned counsel for respondents no. 1 and 2 and Sri Sudhir Singh, learned counsel for respondent no. 3.

Learned counsel for the petitioner has submitted that petitioner was appointed as driver in U.P. Jal Nigam in the year 1984 and his services were regularized vide order dated 23.11.1993. Petitioner is the permanent resident of State of Uttaranchal and according to the petitioner he was born and brought up in the hill area. He has opted for Hill Sub Cadre on 03.04.1999. The posts of Driver are vacant in the department. The appointing authority of the petitioner is Superintending Engineer (E & M) Dehradun despite of this fact his name has not been included in the Hill Sub Cadre.

The submission of the petitioner is that the name of the petitioner could not find place only because his services were regularized by U.P. Jal Nigam, Lucknow in the year 1993.

Petitioner has already made representation raising all his grievances on 02.04.2005 and 09.06.2005 to Personnel Officer, Uttaranchal Pey jal Nigam, Dehradun and Chief Engineer, Uttaranchal Pey Jal Nigam respectively. The same are still pending before them.

Respondents are directed to decide the petitioner's representation with speaking order within a period of four weeks from the date of production of certified copy of this order. Till the decision is taken on the petitioner's representation petitioner shall not be relieved for U.P. Jal Nigam.

With this direction the writ petition is disposed of. No order as to costs.

(M.M Ghildiyal, J.)

October 18, 2005
SKSharma